

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RONALD M. GONDA,	:	CIVIL ACTION NO. 00-2286
	:	
Plaintiff,	:	
	:	
	:	
v.	:	CHIEF JUDGE AMBROSE
	:	
METROPOLITAN LIFE INSURANCE	:	
COMPANY AND WILLIAM GERALD	:	
FRIEDT, JR.,	:	
	:	
Defendants	:	

**METROPOLITAN LIFE INSURANCE COMPANY’S AND WILLIAM GERALD  
FRIEDT, JR.’S MOTION IN LIMINE TO EXCLUDE PLAINTIFF’S CLAIM FOR PUNITIVE  
DAMAGES**

Metropolitan Life Insurance Company (“MetLife”) and William Gerald Friedt, Jr. hereby submit the following Motion in Limine to Exclude Plaintiff’s Claim for Punitive Damages:

1. Plaintiff has made a claim for punitive damages.
2. Plaintiff’s claim for punitive damages should be excluded for the reasons set forth in detail in Defendant’s Brief in Support of its Motion to In Limine to Exclude Plaintiff’s Claim for Punitive Damages, which is incorporated by reference.<sup>1</sup>

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<sup>1</sup> In support of the arguments set forth in detail in Defendants’ Brief in Support of its Motion to In Limine to Exclude Punitive Damages, Defendants enclose Ex. A Findings of Fact and Conclusions of Law, In re Metropolitan Life Ins. Co. Sales Practices Litig., Misc. Dkt. No. 96-179, MDL No. 1091 (W.D. Pa. Dec. 28, 1999); Ex. B Final Order Approving Class Action Settlement, In re Metropolitan Life Ins. Co. Sales Practices Litig., Misc. Dkt. No. 96-179, MDL No. 1091 (W.D. Pa. Dec. 28, 1999); Ex. C Listing of Civil Penalties Paid in Forty-Eight Jurisdictions; Ex. D February 11, 1994 Order of Insurance Department of the Commonwealth of Pennsylvania; Ex. E, Maleski v. Metropolitan Life Ins. Co., et al, A.D. No. 95-10451, Memo. Op. and Order of Court (C.C.P. Butler Cty. April 6, 2004); Ex. F, Maleski, Memo. Op. and Order of Court dated November 15, 2004); and Ex. G, Kintner v. Metropolitan Life Ins. Co., Civil Action No. 01-1725, Memo. Op. and Order of the Court (W.D. Pa. March, 11, 2005).

**WHEREFORE**, Defendants respectfully request that this Court grant Metropolitan Life Insurance Company and William Gerald Friedt, Jr.'s Motion in Limine to Exclude Plaintiff's Claim for Punitive Damages.

Respectfully Submitted,

s/ B. John Pendleton, Jr.

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Attorneys for Defendants  
Metropolitan Life Insurance Company  
and William Gerald Friedt, Jr.

Dated: June 19, 2006

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served via the electronic case filing system, on this 19th day of June, 2006 on the following counsel of record:

Kenneth R. Behrend, Esq.  
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s/ B. John Pendleton, Jr.